

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

ELIZABETH THOMAS

Case No. 23-CV-01047(CFC)

APPELLANT

vs.

PCF INVESTMENTS INC, A/K/A
PCF PROPERTIES IN TEXAS LLC.

APPELLEES



**APPELLANTS DESIGNATION OF ITEMS TO BE
INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure and Rule 8006-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware Elizabeth Thomas (the "Appellants") respectfully submits the following designation items to be included in the record on appeal:

Docket No.	Date	Title of Pleadings
2	3/30/2034	Notice of Removal
14	4/26/2023	Emergency Motion to Dismiss Involuntary Petition <i>and/or Relief from Stay</i> Filed by James M Andersen. (Attachments: # 1 Exhibit 1 # 2 Exhibit 2 # 3 Exhibit 3 # 4 Exhibit 5 # 5 Exhibit 5 # 6 Affidavit Halaris # 7 Affidavit Andersen forgery Affidavit # 8 Affidavit Thomas forgery Affidavit # 9 Exhibit 9 # 10 Exhibit 10 # 11 Exhibit 11 # 12 Proposed Form of Order) (Andersen, James) (Entered: 04/26/2023)
15	4/30/2023	Amended Motion to Dismiss Involuntary Petition <i>OR IN ALTERNATIVE RELIEF FROM STAY</i> Filed by James M Andersen. (Attachments: # 1 Exhibit 1 # 2 Exhibit 2 # 3 Exhibit 3 # 4 Exhibit 4 # 5 Exhibit 5 # 6 Affidavit HALARIS # 7 Affidavit ANDERSEN FORGERY AFFIDAVIT # 8 Affidavit THOMAS FORGERY AFFIDAVIT # 9 Exhibit 9 # 10 Exhibit 10 # 11 Exhibit 11 # 12 Proposed Form of Order # 13 Proposed Form of Order) (Andersen, James) (Entered: 04/30/2023)
18	5/1/2023	Order Dismissing Involuntary Chapter 7 Petition with Prejudice (related document(s) 1, 14, 15) Order Signed on 5/1/2023. (AMH) Modified on 5/2/2023 (SJM). (Entered: 05/01/2023)
	5/19/2023	Bankruptcy Case Closed

19	7/26/2023	Emergency Motion to Reopen Chapter 7 Case <i>TO OBTAINED A REMAND ORDER</i> . Fee Amount \$260. Filed by James M Andersen. Hearing scheduled for 7/31/2023 at 10:00 AM at US Bankruptcy Court, 824 Market St., 6th Fl., Courtroom #3, Wilmington, Delaware. Objections due by 7/28/2023. (Attachments: # <u>1</u> Exhibit # <u>2</u> Proposed Form of Order 1) (Andersen, James) (Entered: 07/26/2023)
21	7/26/2023	Emergency Motion to Vacate <i>MAY 1, 2023 ORDER FOR LIMITED PURPOSE OF OBTAINING A REMAND ORDER</i> Filed by James M Andersen. Objections due by 7/31/2023. (Attachments: # <u>1</u> Proposed Form of Order) (Andersen, James) (Entered: 07/26/2023)
22	7/26/2023	Motion to Allow <i>REMAND OF STATE COURT CASE</i> Filed by James M Andersen. Objections due by 8/4/2023. (Attachments: # <u>1</u> Exhibit 1 # <u>2</u> Proposed Form of Order) (Andersen, James) (Entered: 07/26/2023)
24	7/30/2023	Non-Party Objection OF P.C.F. PROPERTES IN TX, LLC, TO EX PARATE (SIC) MOTION FOR ORDER REOPENING THE BANKRUPTCY FOR THE SOLE PURPOSE OF OBTAINING A REMAND ORDER (DOC. 19), EX PARATE (SIC) MOTION FOR RELIEF FROM JUDGMENT/ORDER PURSUANT TO FED. R. BANKR. P. 9024 (DOC. 21), AND EX PARATE (SIC) REMAND MOTION (related document(s) <u>19</u> , <u>21</u> , <u>22</u>) Filed by PCF Investments Inc. (Burger, John) (Entered: 07/31/2023)
26	8/28/2023	Answering Response OBJECTION TO NON-PARTY P.C.F PROPERTIES IN TEXAS Filed by James M Andersen. (Attachments: # <u>1</u> Exhibit 1 # <u>2</u> Exhibit 2 # <u>3</u> Exhibit 3 # <u>4</u> Exhibit 4 # <u>5</u> Exhibit 5 # <u>6</u> Exhibit 6 # <u>7</u> Exhibit 7) (Andersen, James) (Entered: 08/25/2023)
27	8/25/2023	Agenda of Matters Scheduled for Telephonic Hearing (related document(s) <u>19</u> , <u>21</u> , <u>22</u>) Filed by James M Andersen. (Andersen, James) (Entered: 08/25/2023)
28	8/25/2023	Agenda of Matters Scheduled for Telephonic Hearing on AUGUST 29, 2023 at 2:00 P.M (related document(s) <u>19</u> , <u>21</u> , <u>22</u>) Filed by James M Andersen. (Attachments: # <u>1</u> Proposed Form of Order) (Andersen, James) Modified on 8/25/2023 (IJW). (Entered: 08/25/2023)
29	8/29/2023	Objection And Withdraw the Reference <i>As To Non-Party P.C.F. PROPERTIES IN TX.LLC</i> (related document(s) <u>24</u>) Filed by James M Andersen (Andersen, James) (Entered: 08/29/2023)
32	8/30/2023	Order Denying Ex Parate [sic] Emergency Motion for Order Reopening the Bankruptcy for the Sole Purpose of Obtaining a Remand Order (Related Doc # <u>19</u>) Order Signed on 8/30/2023. (AMH) (Entered: 08/30/2023)
33	8/30/2023	Order Denying Ex Parate [sic] Motion for Relief from Judgment/Order Pursuant to Fed. R. Bankr. 9024 (related document(s) <u>21</u> , <u>24</u> , <u>26</u>) Order Signed on 8/30/2023. (AMH) (Entered: 08/30/2023)
34	8/30/2023	Memorandum Order Denying Ex Parate [sic] Remand Motion (related document(s) <u>22</u> , <u>24</u> , <u>26</u>) Order Signed on 8/30/2023. (AMH) (Entered: 08/30/2023)

STATEMENT OF ISSUES

Whether the Bankruptcy Court dismissed with prejudice the pending adversary proceeding on May 1, 2023, when dismissing the underlying bankruptcy case?

Whether the Bankruptcy Court erred in determining it held jurisdiction to rule on motion despite denying motion to reopen the underlying bankruptcy case that was dismissed with prejudice?

Whether the Bankruptcy Court erred in determining it held jurisdiction to rule on any of the motion filed on July 26, 2023, despite the filing of withdraw the reference?

Whether the Bankruptcy Court erred in determining it held personal and subject matter jurisdiction to rule on Non-Party P.C.F. PROPERTIES IN TX LLC., claim despite their lack of filing a motion to intervene?

Whether the Bankruptcy Court erred in determining that John V. Burger was a Delaware license attorney authorized to file pleadings for Non-Party P.C.F. PROPERTIES IN TX LLC., when in fact he is not?

Whether the Bankruptcy Court erred is determining it held subject matter jurisdiction to rule on the Motion to Remand?

Whether the Bankruptcy Court erred in issuing a memorandum opinion on the Remand Motion instead of an order or judgment?

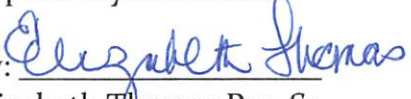
Whether the Bankruptcy Court memorandum opinion on the Remand Motion instead of an order or judgment is appealable?

Whether the Bankruptcy Court erred in determining that there was a agreement among the parties that the wrong entities PCF Investments Inc. a/k/a PCF Properties in Texas LLC., was the wrong entity, when in fact no such agreement exist and where PCF Investments Inc. a/k/a PCF Properties in Texas LLC., is the sole defendant is the state court case ?

ORDERING OF TRANSCRIPT

The Appellant is without funds to order the hearing transcript at this time.

Respectfully submitted,

By: 
Elizabeth Thomas Pro, Se
712 H Street NE #2487